

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:

Applicant: Schmutz, *et al.*

Group Art Unit: 1634

Serial No.: 10/565,278

Examiner: Katherine Salmon

Filed: June 30, 2006

For: IMPROVING PRODUCTION CHARACTERISTICS OF CATTLE

Honourable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

U.S.A.

Sir:

RESPONSE and AMENDMENT

In response to the RESTRICTION AND/OR ELECTION REQUIREMENT dated May 14, 2008, applicant provisionally elects with traverse the claims of Group I (claims 1-9, 11, 16-19) for prosecution on the merits. This election is made without prejudice to adding additional claims to inventions or species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim, and to filing a divisional application at a later date directed to the subject matter of the non-elected claims.